

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IBETO PETROCHEMICAL
INDUSTRIES, LTD.,

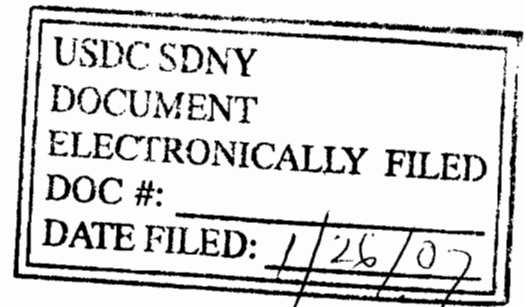
Plaintiff,

- against -

M/T "BEFFEN," her engines, tackle,
boiler, etc., *in rem*; and BRYGGEN
SHIPPING AND TRADING A/S,
in personam,

Defendants.

SHIRA A. SCHEINDLIN, U.S.D.J.:



ORDER

05 Civ. 2590 (SAS)

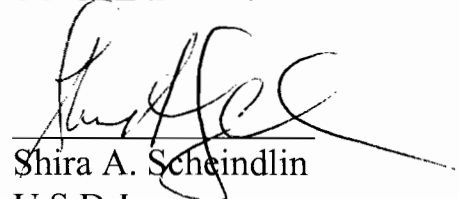
In an Opinion and Order dated November 21, 2005, this Court granted defendants' motion to enjoin plaintiff's litigation in Nigeria.¹ On appeal, the Second Circuit criticized the injunction issued for not being "directed specifically to the parties" and for not having a temporal component.²

¹ See *Ibeto Petrochemical Indus., Ltd. v. M/T "Beffen,"* 412 F. Supp. 2d 285, 292-93 (S.D.N.Y. 2005) ("[D]efendants' motion to enjoin the Nigerian action is granted.").

² *Ibeto Petrochemical Indus. Ltd. v. M/T Beffen*, No. 05-6610 CV, 2007 WL 106165, at *8 (2d Cir. Jan. 17, 2007) ("The injunction should be directed specifically to the parties, for it is only the parties before a federal court who may be enjoined from prosecuting a suit in a foreign country. Moreover, there is no need for the permanent injunction that the District Court seems to have issued. The parties need to be enjoined from proceeding in the courts of Nigeria only until the conclusion of the London arbitration and the consequent resolution of the still-

Accordingly, the injunction is hereby modified to apply only to the parties listed in the caption above and only until the conclusion of the London arbitration and the resolution of the instant action.

SO ORDERED:



Shira A. Scheindlin
U.S.D.J.

Dated: New York, New York
January 26, 2007

pending case in the District Court.”) (citation omitted).

- Appearances -

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